

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE VIRTUS INVESTMENT
PARTNERS, INC.
SECURITIES LITIGATION

Case No. 15-cv-1249 (WHP)

ECF Case

**ORAL ARGUMENT
REQUESTED**

**NOTICE OF MOTION TO DISMISS THE CONSOLIDATED CLASS ACTION
COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion To Dismiss the Consolidated Class Action Complaint, the Declaration of Daniel J. Stujenske, Esq., dated October 21, 2015, and the exhibits attached thereto, Defendants Virtus Investment Partners, Inc., Virtus Opportunities Trust, George R. Aylward, Michael A. Angerthal, Jeffrey T. Cerutti, and Francis G. Waltman, by and through their undersigned attorneys, will move this Court, before the Honorable William H. Pauley III, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007-1312, on a date and at a time to be set by the Court, for an Order dismissing Plaintiffs' Consolidated Class Action Complaint pursuant to the Private Securities Litigation Reform Act of 1995 and Federal Rules of Civil Procedure 12(b)(6) and 9(b).

Dated: New York, New York
October 21, 2015

SIMPSON THACHER & BARTLETT LLP

By: /s/ Joseph M. McLaughlin

Joseph M. McLaughlin

Daniel J. Stujenske

425 Lexington Avenue

New York, New York

Telephone: (212) 455-2000

Facsimile: (212) 455-2502

Attorneys for Defendants